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Aggressive Driving & Road Rage

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Aggressive driving

- National Highway Traffic Safety Administration (NHTSA) definition:
"The operation of a motor vehicle in a manner that endangers or is likely to endanger persons or property."
- Behaviors include:
 - following too closely
 - excessive speed
 - weaving through traffic
 - running stoplights/stop signs
 - improper passing (passing on the right or shoulder, failure to signal)
 - unnecessary honking
- Can escalate to gesturing, yelling, confrontation, assault, and murder



Aggressive driving vs. road rage

- Majority of states have laws against reckless, negligent, or careless driving
- 15 states have “aggressive driving” statutes
- Aggressive driving is a traffic violation (*recklessness*)
- Road rage is a criminal offense (*willful and wanton disregard for safety of others*)
 - Swerving into another car
 - Forcing another driver off the road
 - Shooting a gun into another car
 - Brake checking another vehicle



Current Utah statute

Section 53-3-220

Effective 5/4/2022

41-6a-528. Reckless driving -- Penalty.

- (1) A person is guilty of reckless driving who operates a vehicle in willful or wanton disregard for the safety of persons or property.
- (2) For purposes of this section, "willful or wanton disregard for the safety of persons or property" includes:
 - (a) traveling on a highway at a speed of 105 miles per hour or greater; or
 - (b) committing three or more traffic violations under Title 41, Chapter 6a, Traffic Code, in a series of acts occurring within a single continuous period of driving covering three miles or less in total distance.
- (3) A person who violates Subsection (1) is guilty of a class B misdemeanor.

Amended by Chapter 176, 2022 General Session



Current Utah statute

Section 53-3-220

Driver license division shall immediately revoke, deny, suspend, or disqualify the license of a person **convicted** of:

- Manslaughter or negligent homicide resulting from driving a motor vehicle
- Driving under the influence
- Any motor vehicle felony or felony using a motor vehicle
- Two charges of reckless driving, impaired driving, or a combination within a period of 12 months
- Any felony involving discharge of a firearm from a vehicle



Other state statutes

- [Arizona](#) – Violation of excessive speed in addition to two other traffic violations, including passing on the right, unsafe lane changes, or tailgating, in one continuous course of driving
- [Nevada](#) – In the course of one mile, speed violation in addition to two traffic violations
- California and New Jersey – law against criminal assault using a motor vehicle
- Georgia – “intent to annoy, harass, molest, intimidate, injure, or obstruct another person”
- Penalties include: fines, possible jail time, license suspension, and mandatory traffic school



Presenters:

- Col. Mike Rapich, Utah Highway Patrol
- Jeff Gray, Utah County Attorney
- Chief Brian Gwilliam, Utah Chiefs of Police Association
- Sheriff Mike Smith, Utah Sheriffs' Association
- Chief Troy Carr, Herriman Chief of Police

